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years

December 13, 2022

VIA ECF

The Honorable George B. Daniels
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007

Re: 03 MDL 1570
In Re Terrorist Attacks of September 11, 2001
Ashton v. Kingdom of Saudi Arabia, No.17-cv-2003

Dear Judge Daniels,

I am compelled to submit this letter after listening to the argument held before this Court on December 8, 2022, concerning the sanctions imposed against the Kreindler & Kreindler law firm, wherein the Court noted lack of support from other lawyers on the PEC for the Kreindler firm. This could not be further from the truth. I regret that I was in quarantine following a COVID-19 diagnosis on the day of the hearing, and otherwise would have asked the Court for an opportunity to respond and express support for the Kreindler lawyers. I was appointed by Judge Casey as a member of the Plaintiffs' Executive Committee for Personal Injury and Death Claims (PEC) in the June 16, 2004, Case Management Order #3, ECF 248-2.

I and the attorneys at my firm have had the good fortune to work alongside the attorneys from the Kreindler & Kreindler firm in this litigation for more than 20 years. Our firms have worked together cooperatively and successfully for more than 50 years on countless aviation disasters, including the successful resolution of the Pan Am 103 litigation against Libya. I have first-hand knowledge of the character of the Kreindler attorneys that has been doubted as well as of the magnitude and significance of the work they have accomplished in the prosecution of claims in this litigation, significantly against the Kingdom of Saudi Arabia.

During the period of Kreindler's investigation into the most unfortunate leak of the Jarrah transcript, we were in frequent communication with the lawyers of their firm as we all questioned the source of the leak. We shared the same astonishment and bewilderment as to the happening

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and the source of the leak. I know now as I knew then that the Kreindler attorneys had no role in the leak and were devastated to learn that John Fawcett, a consultant who for 20 years had worked tirelessly for all 9/11 victims, was the source. Mr. Fawcett's stunning lapse in judgment was successfully hidden from the Kreindler lawyers until the day it was promptly disclosed to this Court.

Kreindler's work to advance the litigation against Saudi Arabia had included primary oversight of the factual investigation; locating and hiring all but one of the Plaintiffs' experts in the case; taking the lead for the PEC on all depositions of Saudi government and third-party witnesses; and always advocating for the interests of all 9/11 victims. These contributions to the work of the PEC are beyond dispute, though the ability of all 9/11 victims to fully benefit from that work is now at risk.

From my experience over the more than 30 years I have worked with them, Kreindler attorneys have the utmost respect for this Court and their obligations to protect confidential information. I do not believe the leak of the Jarrah transcript was condoned or encouraged by any of the Kreindler attorneys. I continue to have faith in Kreindler's attorneys and their work, and I strongly believe that it is in the best interests of all 9/11 victims to have Kreindler attorneys continue their work on the WD/PI PEC.

Respectfully submitted,



Frank H. Granito, III